IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

By Post

Crl. W.P. No.474 of 2006

DATE OF DECISION:11.10.2006

Roshani Devi .....Petitioner

Versus

State of Haryana .....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri Partap Singh, Sr. DAG, Haryana.

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A letter written by Smt. Roshani Devi wife of Rama Ram was received by this Court on 23.5.2006, in which, it was alleged that her husband Rama Ram, father-in-law Jai Pal and brother-in-law Sewa Singh were illegally taken in custody on 17.4.2006 and were kept in illegal custody till 20.4.2006. A prayer for taking legal against against the police officials was made.

Pursuant to the notice issued, reply by way of an affidavit of Sub Inspector of Police, Police Station City Fatehabad has been filed, in which, it has been categorically stated that neither the police of Police Station City Fatehabad had arrested the aforesaid persons on 17.4.2006 nor they were confined in illegal custody till 20.4.2006, as stated in the aforesaid letter. It has been disclosed that these persons were arrested by the Police of Police Station City Fatehabad on 21.4.2006 under Section 41 (1) Cr.P.C. on the basis of complaint made by one Rajinder, S/o Om Parkash, who has specifically alleged that these persons have committed the theft of 80 grams gold and Rs. 1800/- and in this regard FIR No. 248 dated 19.4.2006 under Section 379 IPC was already been registered. It

has further been stated that on the next date i.e. on 22.4.2006, all the three persons were released from custody by Chief Judicial Magistrate, Fatehabad.

In view of the aforesaid reply, no further direction is required to be issued.

Dismissed.

October 11, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**